



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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ANDREA SHERIDAN ORDIN  
County Counsel

July 29, 2011

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI   
Senior Assistant County Counsel

RE: **Item for the Board of Supervisor's Agenda**  
**County Claims Board Recommendation**  
**Federico Juarez v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. TC 023 957**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary, the Summary Corrective Action Plan, and the Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, the Summary Corrective Action Plan, and the Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Federico Juarez v. County of Los Angeles, et al, Los Angeles Superior Court Case No. TC 023 957, in the amount of \$200,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from injuries received from a slip and fall on a sidewalk in front of the Carson Sheriff's Station.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Federico Juarez vs. County of Los Angeles
CASE NUMBER	TC 023957
COURT	Los Angeles Superior Court South Central District
DATE FILED	January 14, 2010
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Matthew L. Bartholomew Law Offices of Matthew L. Bartholomew
COUNTY COUNSEL ATTORNEY	Vicki Kozikoujekian Principal Deputy County Counsel (213) 974-8208
NATURE OF CASE	<p>On July 7, 2008, Mr. Juarez slipped and fell in water due to a leaking pipe where there was algae build-up in front of the Carson Sheriff's station.</p> <p>Mr. Juarez alleges that the property was in a dangerous condition, because the County was aware of the leaking pipe and algae build-up.</p> <p>The County claims that Mr. Juarez walked on the sidewalk on his way into the station and should have noticed the water and thus exercised due care by avoiding it.</p>

Due to the risks and uncertainties of litigation, the Sheriff's Department proposes a full and final settlement of the case in the amount of \$200,000.

PAID ATTORNEY FEES, TO DATE	\$	27,652
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PAID COSTS, TO DATE	\$	11,397.76
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Case Name: Federico J. Juarez v. County of Los Angeles, et al.



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Monday, July 7, 2008; approximately 9:00 a.m.
Briefly provide a description of the incident/event:	<p><u>Federico J. Juarez v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2011-008</p> <p>The plaintiff, Federico J. Juarez, alleged that on Monday, July 7, 2008, at approximately 9:00 a.m., he sustained serious physical injuries when he slipped and fell on a sidewalk adjacent to the public parking lot in front of the Los Angeles County Sheriff's Department's Carson Station.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

A public entity may be liable for injuries sustained as a result of known hazardous conditions existing or maintained on public property.

The investigation identified an accumulation of slippery algae on a small portion of the affected sidewalk adjacent to a previously unidentified leaking sprinkler.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant protocols and/or policies and procedures in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

This incident was investigated by representatives from the Los Angeles County Sheriff's Department's Carson Station. While there were no witnesses to the actual incident, the investigation nonetheless identified an accumulation of slippery algae on a small portion of the affected sidewalk adjacent to a previously unidentified leaking sprinkler. The leaking sprinkler was immediately repaired and the slippery algae was immediately removed.

While existing practice encouraged the station watch commander to monitor all areas of the facility for safety and safety-related hazards, no facility order or similar management directive required such an



activity. Moreover, the investigation also revealed that the affected area was not routinely inspected by the watch commander during the facility check.

As a result, representatives from Carson Station will develop a facility order or similar management directive requiring the watch commander to conduct a daily facility inspection. The inspection will include the visitor's parking lot and adjacent sidewalk(s). This facility order will be implemented by May 30, 2011.

In addition to the facility order referenced above, the Los Angeles County Sheriff's Department's Risk Management Bureau will disseminate a newsletter to all unit commanders 1) summarizing the circumstances of this case and, 2) requesting all unit commanders within the Los Angeles County Sheriff's Department to give consideration to developing a facility-specific order or similar management directive requiring daily safety inspections and a requirement to document the completion of the inspection in the facility's watch commander log (or similar instrument). This newsletter will be disseminated to all unit commanders by June 30, 2011.

Finally, existing Department policy will be revised to require all lieutenants and sergeants to monitor their work location for safety and safety-related hazards and take immediate remedial action, if appropriate. This revision will be implemented by June 30, 2011.

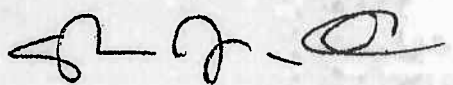
3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance.)

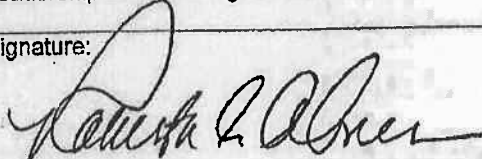
- ☒ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Does not appear to have Countywide or other department(s) implications.

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County of Los Angeles  
Summary Corrective Action Plan


Los Angeles County Sheriff's Department

Name (Risk Management Coordinator): Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 3/31/11

Name (Department Head): Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 04/06/11

Stamp: CONTENTS E.B. SMITH NOTED 3/31/11

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 4/22/2011

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT  
RISK MANAGEMENT BUREAU

CORRECTIVE ACTION PLAN

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**Corrective Action Plan (CAP) Number:** 2011-008CR

**Lawsuit:**

Name: **Federico J. Juarez v. County of Los Angeles, et al.**  
Case/Docket Number: Los Angeles Superior Court No. TC 023957

Investigator: Deputy Richard W. Debruijn  
Risk Management Bureau  
Leadership and Training Division

**Incident:**

Date/Time: Monday, July 7, 2008; approximately 9:00 a.m.

Location: 21356 South Avalon Boulevard  
Carson

Station, Bureau, or Facility: Carson Station  
Field Operations Region II

**Executive Summary:**

The plaintiff, Federico J. Juarez, alleged that on Monday, July 7, 2008, at approximately 9:00 a.m., he sustained serious physical injuries when he slipped and fell on a sidewalk adjacent to the public parking lot in front of the Los Angeles County Sheriff's Department's Carson Station.

**Risk Issue(s):**

A public entity may be liable for injuries sustained as a result of known hazardous conditions existing or maintained on public property.



**Administrative Review/Investigation:**

Was a formal Risk Management Bureau (RMB) Critical Incident Analysis (CIA) conducted? No

Was another formal administrative review/investigation initiated? Yes

If yes, was discipline imposed or other appropriate administrative action taken? N/A

Was the employee's driving record reviewed as part of the administrative review? N/A

**Policy Issues:**

The Los Angeles County Sheriff's Department had relevant protocols and/or policies and procedures in effect at the time of the incident.

**Training/Curriculum Issues:**

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

**Corrective Action:**

Was a formal administrative review/investigation of the incident initiated? Yes

If yes, was appropriate administrative action taken? N/A

This incident was investigated by representatives from the Los Angeles County Sheriff's Department's Carson Station. While there were no witnesses to the actual incident, the investigation nonetheless identified an accumulation of slippery algae on a small portion of the affected sidewalk adjacent to a previously unidentified leaking sprinkler. The leaking sprinkler was immediately repaired and the slippery algae was immediately removed.

While existing practice encouraged the station watch commander to monitor all areas of the facility for safety and safety-related hazards, no facility order or similar management directive required such an activity. Moreover, the investigation also revealed that the affected area was not routinely inspected by the watch commander during the facility check.

**CORRECTIVE ACTION PLAN #2011-008**

**FEDERICO J. JUAREZ V. COUNTY OF LOS ANGELES, ET AL.**

**PAGE THREE**

As a result, representatives from Carson Station will develop a facility order or similar management directive requiring the watch commander to conduct a daily facility inspection. The inspection will include the visitor's parking lot and adjacent sidewalk(s). This facility order will be implemented by May 30, 2011.

In addition to the facility order referenced above, the Los Angeles County Sheriff's Department's Risk Management Bureau will disseminate a newsletter to all unit commanders 1) summarizing the circumstances of this case and, 2) requesting all unit commanders within the Los Angeles County Sheriff's Department to give consideration to developing a facility-specific order or similar management directive requiring daily safety inspections and a requirement to document the completion of the inspection in the facility's watch commander log (or similar instrument). This newsletter will be disseminated to all unit commanders by June 30, 2011.

Finally, existing Department policy will be revised to require all lieutenants and sergeants to monitor their work location for safety and safety-related hazards and take immediate remedial action, if appropriate. This revision will be implemented by June 30, 2011

**Risk Review/Compliance Audit:**

Will this corrective action plan (and/or implementation of any corrective action measures contained herein) require the notification to, or assistance from, other County of Los Angeles departments or public agencies? No

If yes, what is the name and title of the person contacted? N/A

How/when was the person contacted? N/A

Will a formal Risk Management Bureau audit be required? Yes

If yes, what is the date the audit will be performed? June 15, 2011

Name of person/unit performing audit? Lynne E. Hughes

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CORRECTIVE ACTION PLAN #2011-008

FEDERICO J. JUAREZ V. COUNTY OF LOS ANGELES, ET AL.

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**Prepared:** Patrick Hunter, Lieutenant *PH*  
Risk Management Bureau

**Submitted:** Shaun J. Mathers, Captain *SJM*  
Risk Management Bureau

**Reviewed:** Eric B. Smith, Commander *EB*  
Leadership and Training Division

**Concur:** Roberta A. Abner, Chief *RAA*  
Leadership and Training Division

Signature: *Roberta A. Abner* Date: *04-06-11*

**Concur:** Larry L. Waldie, Undersheriff (contents noted): *LW*

**Authorized:** Paul K. Tanaka, Assistant Sheriff

Signature: *Paul K. Tanaka* Date: *4-11-11*